

REMARKS

In the Office action mailed on May 25, 2004, claims 5-17 were rejected. With this Amendment, claims 5-10 are cancelled and claims 11-13, 16 and 17 are amended.

On page 2 of the Office action, the Examiner requested that Applicant correct any errors of which Applicant may become aware in the specification. Pursuant to this request, Applicant presents numerous changes to the specification. Also, with this Amendment, a new paragraph has been added to the "Summary of the Invention" section. Applicant submits that none of these changes add new matter to the present application.

Also on page 2 of the Office action, claims 5-17 were rejected under 35 U.S.C. 112, second paragraph as being indefinite. The claims are amended herewith pursuant to this rejection. The Examiner also stated that, "The description of the present invention is incomplete because the claimed filter does not have an input and an output." Applicant submits that a patent claim need not include every last element of a claimed device. As long as the prior art does not show the limitations that are recited in the claim, the invention as claimed is allowable. Applicant submits that the claims as amended are definite in accordance with 35 U.S.C. 112, second paragraph.

On page 3 of the Office action, claims 5-17 were rejected under the doctrine of obviousness-type double patenting over claims 1-20 of U.S. Patent 6,731,160. A terminal disclaimer is submitted herewith to overcome the double patenting rejection.

On page 4 of the Office action, claims 5-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Katsuo (JP 359018421) in view of Nabicht et al. (U.S. 6,621,346). Although Applicant does not agree with this rejection, claims 5-10 are cancelled herewith to expedite the prosecution and allowance of claims 11-17.

Claim 11 is amended herewith to incorporate the limitations of base claim 5.

In view of the foregoing, Applicant respectfully requests allowance of claims 11-17.

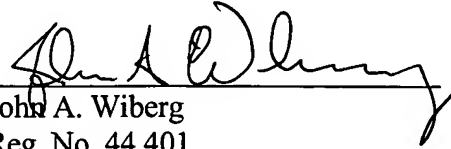
Appl. No. 10/695,313
Amdt. dated Nov. 23, 2004
Reply to Office action of May 25, 2004

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: November 23, 2004

Respectfully submitted,

MCANDREWS, HELD & MALLOY, LTD.

A handwritten signature in black ink, appearing to read "John A. Wiberg", is written over a horizontal line.

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